

BILL NO. Z-72-04-26

ZONING MAP ORDINANCE NO. Z- 09-72

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. G5.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:


SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. G5 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot 1 and Lot 2 in Curdes Homewood Acres, as recorded in Plat Book # 8, Page # 46, an addition to the City of Fort Wayne, Ind. with the description last appearing in Deed Rec. 627 page 478 of the records in the office of the Allen County Recorder.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY


CITY ATTORNEY

Read the first time in full and on motion by Kraus seconded by

Hinga and duly adopted, read the second time by title and referred to the Committee on Regulation (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 19____, at _____ o'clock P.M., E.S.T.

Date: April 25, 1972 Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Kraus

seconded by Hinga and duly adopted, placed on its passage.

Passed (~~last~~) by the following vote:

| AYES <u>8</u> | NAYS _____ | ABSTAINED _____ | ABSENT <u>1</u> to-wit: |
|----------------------|------------|-----------------|-------------------------|
| Burns <u>✓</u> | _____ | _____ | _____ |
| Hinga <u>✓</u> | _____ | _____ | _____ |
| Kraus <u>✓</u> | _____ | _____ | _____ |
| Nuckols <u>✓</u> | _____ | _____ | _____ |
| Moses <u>✓</u> | _____ | _____ | _____ |
| Schmidt, D. <u>✓</u> | _____ | _____ | _____ |
| Schmidt, V. <u>✓</u> | _____ | _____ | _____ |
| Stier <u>✓</u> | _____ | _____ | _____ |
| Talarico <u>✓</u> | _____ | _____ | _____ |

Date June 13, 1972 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. Z-09-72 on the 13th day of June, 1972.

ATTEST (SEAL)
Charles W. Westerman Samuel J. Talarico
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 15th day of June, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Don A. Lebert
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 25, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-04-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City plan;

BE IT FURTHER RESOLVED THAT THE Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1972.

Certified and signed this
12th day of June, 1972.


George Roser
Secretary

Bill No. Z-72-04-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

amending the City of Fort Wayne Zoning

Map No. G5.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

Eugene Kraus, Jr. - Chairman

James S. Stier - Vice-Chairman

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

Eugene Kraus, Jr.

James S. Stier

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

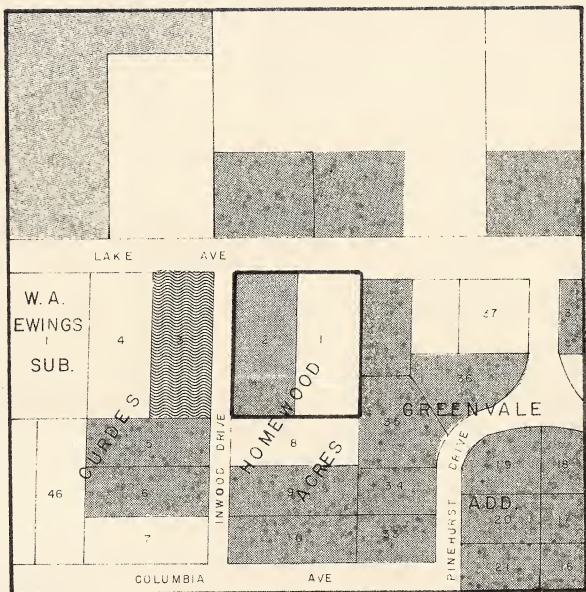
DATE 6-13-72 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

N^o 130

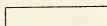
GENERAL FUND

FT. WAYNE, IND.. April 15 1972RECEIVED FROM ↗ Fifty and 00/100 ————— \$ 50.00THE SUM OF Charles E. Miller 100 DOLLARSON ACCOUNT OF Lot 1 + 2 in Curdes Home Wood
DunesBarbara Steele
AUTHORIZED SIGNATURE



EXISTING LAND USE MAP

2-22-04-26



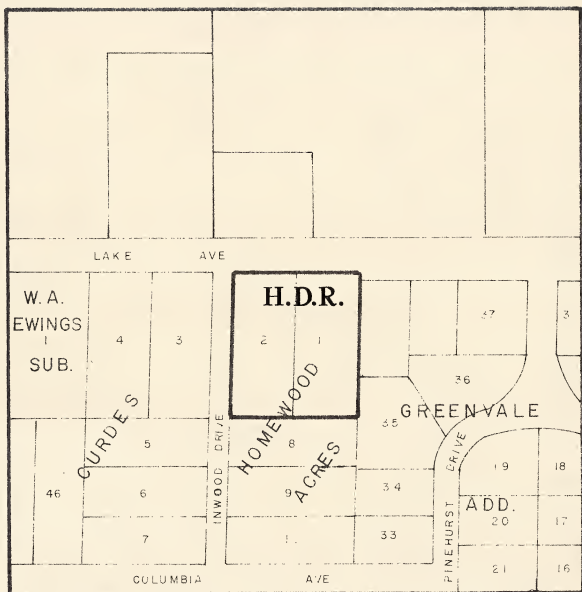
- VACANT LAND



- LOW DENSITY RESIDENTIAL



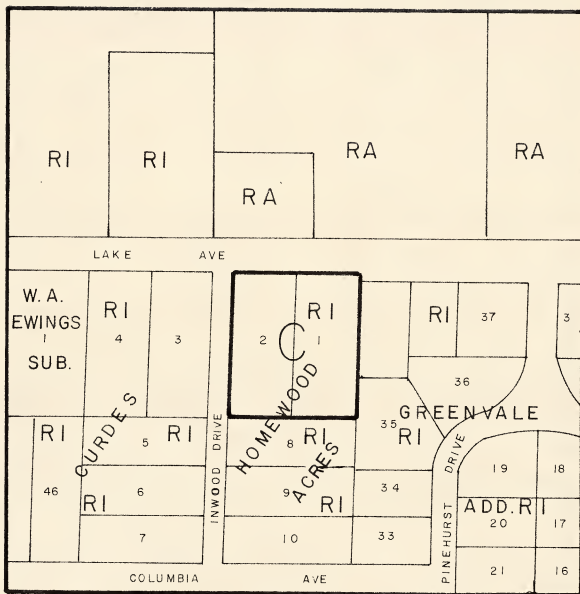
- COMMERCIAL



2-72-04-26
PROPOSED LAND USE MAP

H.D.R. - HIGH DENSITY RESIDENTIAL





"C" CHANGE FROM RI TO R3

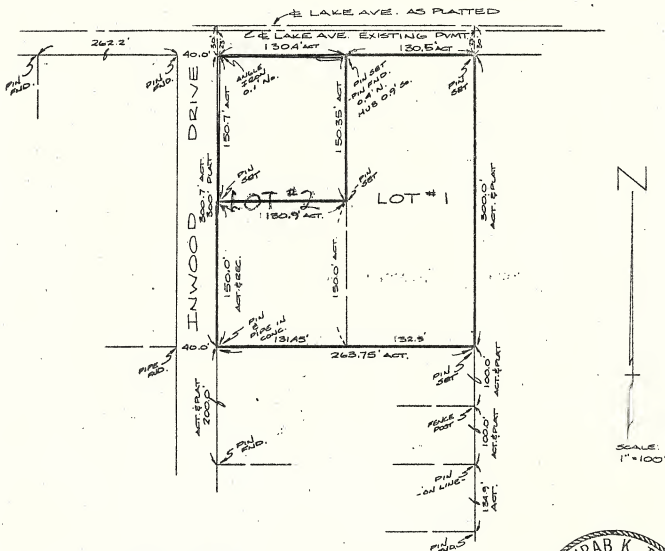
L-7204-26

N

Phone: 219 743 0003

This document is a certificate that the undersigned Civil Engineer and Land Surveyor, Registered under the laws of Indiana, has made a survey of Lot #1 and South 150' of Lot #2 in Curdes Homewood Acres. An addition to the City of Fort Wayne, Indiana.

in conformity with the records or the plat thereof on file in the Allen County Recorder's Office, Fort Wayne, Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.



I hereby certify above survey to be correct.

Surveyed: 4-10-72
Surveyed for: MARTIN
Survey No. AJ-138

Registered Professional Civil Engr., &
Indiana 12,562



PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE

Date Filed _____

CITY OF FORT WAYNE, INDIANA

Intended Use _____

I/We Ava Lou Martin, Edwin J. Martin, Ernest L. Lothamer, Jr & Jamie Lothamer
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R - 1 District to a/an R - 3 District the property described as follows:

As recorded in Plat Book # 8, Page # 46.
Lot 1 and Lot 2 in Curdes Homewood Acres, an addition to the City of Fort Wawhe, Ind. with the description last appearing in Deed Rec. 627 page 478 of the records in the office of the Allen County Recorder. (see survey attached).

(Legal Description)

Lot # 1 & 2 of Curdes Homewood Acres, lying in the southeast corner of the intersection of Lake Avenue and Inwood Drive, lying in Section 5, T. 30 N., R 13 N.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Ava Lou Martin
(Name)

926 Mandaley Ave
(Address)

Ernest L. Lothamer, Jr.
(Signature)

Edwin J. Martin
(Name)

926 Mandaley Ave
(Address)

Jamie Lothamer
(Signature)

Edwin J. Martin
(Name)

Chowath, Ind. Ind.
(Address)

H. Wayne
(Signature)

Legal Description Checked By: Blaine Embury Per Ron Brown April 19, 1972
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Donald Maymude
(Name)

701 E. Columbia
(Address)

422-6502
(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street, Fort Wayne, Indiana 46802 Telephone Number 423-7571

June 9, 1972

Mr. Gary F. Baeten, Administrative Assistant
City Plan Commission
City County Building
One Main Street
Fort Wayne, Indiana 46802

Re: Bill No. Z-72-04-26
Change "R-1" to "R-3"
Lots 1 & 2 of Curdes
Homewood Acres Addition

Dear Mr. Baeten:


As the purchaser of lot number 1 and the south $\frac{1}{2}$ of lot number 2 of Curdes Homewood Acres Addition to be used for the construction of a Bashful Giraffe Day Care Center of which I will be the owner, I accept the conditions of your letter dated May 25, 1972 (letter attached) in their entirety.

I must make you aware of the fact that the north $\frac{1}{2}$ lot number 2 of Curdes Homewood Addition will not be owned by me and the conditions I have agreed to are for my land ownership only.

My attorney, Mr. Haller, is preparing the dedication and covenants you have requested but it is not possible to have them completed by the Counsel Meeting, however, they will be completed prior to our obtaining a building permit.

Please accept this letter as my commitment to the City Council to complete the required conditions.

Very truly yours,


Betty Miller

Common Council-City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than five solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

78 lines.....columns wide equals.....equivalent lines at .288¢.....
cents per line \$ 22.46

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 22.46

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 10, 1972

Title Clerk

Notice is hereby given that on the 12th day of June, 1972, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following No. Z-69-72 Zoning Map Ordinance, to-wit:

BILL NO. Z-72-04-25
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-5, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2855 and amendments thereto, and the symbols of the City of Fort Wayne Zoning Map No. G-5 referred to therein, established by section 9, Article III of said Charter as amended, are hereby changed accordingly to-wit:

Lot 1 and Lot 2 in Curdes Homewood Acres, as recorded in Plat Book No. 6, Page No. 46, an addition to the City of Fort Wayne, Indiana with the description last appearing in Deed Rec. 627 page 478 of the records in office of the Allen County Recorder.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approved by the Mayor and local publication thereof.

Eugene Kraus, Jr. Councilman
Read the third time in full and on motion by Kraus seconded by Hings and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Eight
Burns, Hings, Kraus, Moses, D. Schmidt, V. Schmidt, Siler, Talarico
Absent: One
Nuckolls
June 12, 1972

Charles W. Westerman,
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-69-72 on the 15th day of June, 1972.

ATTEST: (SEAL)
Charles W. Westerman,
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of June, 1972, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman,
City Clerk
Approved and signed by me this 15th day of June, 1972, at the hour of 2:30 o'clock p.m., E.S.T.
Ivan A. Lebamoff,
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-69-72 passed by the Common Council on the 12th day of June, 1972, and that said Ordinance was duly signed and approved by the Mayor on the 15th day of June, 1972 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of June, 1972.

(Seal) Charles W. Westerman,
City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman, who, being duly sworn, says that she is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

July 1, 1972

July 8, 1972

Subscribed and sworn to before me this 10th day of July 1972
Edith Stapleton
Notary Public

My commission expires March 8, 1974